

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CHERYL L. BARTON,

Plaintiff,

v.
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 07-13933

Hon. Anna Diggs Taylor

Magistrate Judge Donald A. Scheer

ORDER ACCEPTING MAGISTRATE'S REPORT AND RECOMMENDATION

This matter is before the court on Magistrate Judge Donald A. Scheer's Report and Recommendation of January 8, 2008, granting Defendant's Motion to Dismiss, and dismissing Plaintiff's Complaint.

The court has reviewed the file and the Magistrate Judge's Report and Recommendation. No objections have been filed. The court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

Therefore, the court will accept the Magistrate's Report and Recommendation of January 8, 2008 as the findings and conclusions of this court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Scheer's Report and Recommendation of January 8, 2008 is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss is GRANTED and Plaintiff, Cheryl L. Barton's Complaint is dismissed.

IT IS SO ORDERED.

DATED: February 1, 2008

s/Anna Diggs Taylor

ANNA DIGGS TAYLOR

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on February 1, 2008.

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s/Johnetta M. Curry-Williams
Case Manager